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**Request
For
Continued Examination (RCE)
Transmittal**

Address to:
Commissioner for Patents
Box RCE
Washington, DC 20231

Application Number	09/815,602
Filing Date	March 23, 2001
First Named Inventor	Javed Naim Agrewala et al.
Art Unit	1645
Examiner Name	Rodney P. Swartz
Attorney Docket Number	KUMAP0105US

#10
JM
7/1/03

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.
Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. Submission required under 37 CFR 1.114

- a. ☐ Previously submitted
- i. ☐ Consider the amendment(s)/reply under 37 CFR 1.116 previously filed on _____
(Any unentered amendment(s) referred to above will be entered).
- ii. ☐ Consider the arguments in the Appeal Brief or Rely Brief previously filed on _____
- iii. ☐ Other _____
- b. ☒ Enclosed
- i. ☒ Amendment/Reply
- ii. ☐ Affidavit(s)/ Declaration(s)
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☐ Other _____

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2. Miscellaneous

- a. ☒ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of 2 months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)
- b. ☐ Other _____

3. Fees

- The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.
- The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 18-0988
- i. ☒ RCE fee required under 37 CFR 1.17(e)
- ii. ☒ Extension of time fee (37 CFR 1.136 and 1.17)
- iii. ☒ Other Suspension of Action Fee
- b. ☐ Check in the amount of \$ _____ enclosed
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)	Joseph J. Crimaldi	Registration No. (Attorney/Agent)	41,690
Signature	<i>Joseph J. Crimaldi</i>	Date	July 14, 2003

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner For Patents, Box RCE, Washington, DC 20231, or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

Name (Print/Type)	Joseph J. Crimaldi	Date	July 14, 2003
Signature	<i>Joseph J. Crimaldi</i>		

Page 1 of 2

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Box RCE, Washington, DC 20231.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.



CERTIFICATE OF MAILING (37 CFR 1.8a)

hereby certify this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE; Commissioner for Patents; P.O. Box 1450; Alexandria, VA 22313-1450.

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(Date)

Joseph J. Grimaldi
(Print name of person mailing paper)
[Signature]
(Signature of person mailing paper)

KUMAP0105US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of:

Applicants: Javed Naim Agrewala et al.

Art Unit: 1645

Serial No.: 09/815,602

Examiner: Rodney P. Swartz

Filing Date: March 23, 2001

For: PROCESS FOR THE PREPARATION OF A VACCINE FOR THE TREATMENT OF TUBERCULOSIS AND OTHER INTRACELLULAR INFECTIONS DISEASES AND THE VACCINE PRODUCED BY THE PROCESS

REPLY TO OFFICE ACTION

Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This paper is responsive to the Office Action mailed September 12, 2002 for which a three (3) month period of response was given. A Notice of Appeal was filed on March 17, 2003 (receive date) in connection with the above-identified patent application. A Petition and fee for a three (3) month extension of time accompanies this paper. Additionally, a Request for Continued Examination (RCE) and a Suspension of Action request are being submitted herewith. A Declaration by one of the Applicants will be submitted within the Suspension of Action period. In view of the amendments and the following remarks, further and favorable consideration of this application is respectfully requested.

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